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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 GRACE KIMANI,

8 Plaintiff,

9 v.

10 BETHESDA LUTHERAN COMMUNITIES,

11 Defendant.  
12

NO. C16-0992RSL

ORDER DENYING EMERGENCY  
MOTION TO QUASH SUBPOENAS


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14 This matter comes before the Court on defendant's "Emergency Motion for Protective  
15 Order and Motion to Quash." Dkt. # 31. The motion is DENIED. Defendant has no right to take  
16 plaintiff's deposition before producing its own witnesses. To the extent plaintiff agreed to that  
17 procedure, she made a good faith effort to provide testimony before the dates on which  
18 defendant's witnesses are to be deposed. Plaintiff waited over two and a half months to have the  
19 June 12th and 13th deposition dates confirmed. In light of the upcoming discovery deadline,  
20 there is no reason to delay longer.<sup>1</sup>  
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23 <sup>1</sup> Defendant's objection to the failure to provide witness fees does not justify emergency relief:  
24 that failure was apparent on May 26, 2017, and should have been timely raised so that plaintiff had an  
opportunity to respond and/or rectify the oversight.

25 Nor does defendant's assertion that the Amended Complaint is vague require a protective order.  
26 At present, plaintiff has not alleged a retaliation claim in this litigation, and defendant may prepare its  
27 witnesses accordingly. Relevance is not an appropriate grounds for refusing to answer a question at  
deposition, however. The objection "must be noted on the record, but the examination still proceeds."

28 ORDER DENYING EMERGENCY  
MOTION TO QUASH SUBPOENAS - 1

1 Dated this 9th day of June, 2017.

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3 Robert S. Lasnik  
4 United States District Judge  
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26 Fed. R. Civ. P. 30(c)(2). If, based on the evidence obtained, a retaliation claim can be properly alleged,  
27 plaintiff may move to modify the case management deadlines under Fed. R. Civ. P. 16(b)(4) and amend  
28 her complaint under Fed. R. Civ. P. 15(a)(2).

ORDER DENYING EMERGENCY  
MOTION TO QUASH SUBPOENAS - 2